

DAVID L. ANDERSON (CABN 149604)  
United States Attorney

HALLIE HOFFMAN (CABN 210020)  
Chief, Criminal Division

CYNTHIA FREY (DCBN 475889)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7200  
FAX: (415) 436-7234  
cynthia.frey@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 19-0372 EMC
	)	
Plaintiff,	)	STIPULATION TO CONTINUE AND EXCLUDE
	)	TIME AND <del>[PROPOSED]</del> ORDER
v.	)	
	)	
ANTHONY TYLER NASHATKA,	)	
	)	
Defendant.	)	
	)	

At the last appearance on this matter on August 26, 2020, this Court set the matter over for a further status conference on October 28, 2020. Time was excluded under the Speedy Trial Act due to the complexity of the case, and for effective preparation of counsel until October 28, 2020. The parties are finalizing a global resolution of the matter and require additional time. As such the parties are requesting that this matter be continued to December 9, 2020, after consulting with the Courtroom Deputy as to this Court's availability.

The parties also agree that it is appropriate to exclude time under the Speedy Trial Act due to the significant amount of discovery produced and the complexity of the case. For the above-stated reasons and as further stated on the record at the status conference, the parties stipulate and agree that excluding time until December 9, 2020 will allow for the effective preparation of counsel, particularly given the

1 complex nature of this case. *See* 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv). The parties further stipulate  
2 and agree that the ends of justice served by excluding the time from August 26, 2020 through December  
3 9, 2020 from computation under the Speedy Trial Act outweigh the best interests of the public and the  
4 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

5 The undersigned Assistant United States Attorney certifies that she has obtained approval from  
6 counsel for the defendant to file this stipulation and proposed order.

7  
8 IT IS SO STIPULATED.

9  
10 DATED: 10/27/20

\_\_\_\_\_  
/s/  
CYNTHIA FREY  
Assistant United States Attorney

11  
12 DATED: 10/27/20

\_\_\_\_\_  
/s/  
JAY LEIDERMAN  
Counsel for Defendant Anthony Tyler Nashatka

~~[PROPOSED]~~ ORDER


Based upon the facts set forth in the stipulation of the parties and the representations made to the Court on and for good cause shown, the Court hereby orders that the above-captioned matter be continued to December 9, 2020 at 2:30 p.m.

The Court further finds that failing to exclude the time from August 26, 2020 through December 9, 2020 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the complexity of the case. 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv). The Court further finds that the ends of justice served by excluding the time from August 26, 2020 through December 9, 2020 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from August 26, 2020 through December 9, 2020 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(ii) and (iv).

IT IS SO ORDERED.

DATED: October 27, 2020

  
\_\_\_\_\_  
HONORABLE EDWARD M. CHEN  
United States District Judge